

**REMARKS**

In the Final Office Action, the Examiner rejected claims 30-32, 34, 35, 38-40, 42, and 43 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,963,909 to Warren et al. ("*Warren*"), U.S. Patent No. 5,083,224 to Hoogendoorn et al. ("*Hoogendoorn*"), and U.S. Patent No. 6,519,412 to Kim ("*Kim*"). The Examiner maintained these rejections in the Advisory Action mailed June 17, 2008.

By this amendment, Applicants amend claims 34 and 42, and add new claims 45 and 46. Claims 30-32, 34, 35, 38-40, 42, 43, 45, and 46 are pending.

Applicants respectfully traverse the rejection of claims 30-32, 34, 35, 38-40, 42, and 43 under 35 U.S.C. § 103(a) as being unpatentable over *Warren*, *Hoogendoorn*, and *Kim*.

Independent claim 34 recites a method for controlling copying of data in a recording apparatus, including "receiving, via an operational panel, a copy restriction level from a user." *Warren*, *Hoogendoorn*, and *Kim* fail to teach or suggest at least the claimed "receiving . . . a copy restriction level."

*Warren* discloses inserting a Standard Copy Tag (SCT) into a data signal, each time the data signal is copied. *Warren*, col. 2, lines 6-9; col. 9, lines 22-25. Therefore, the number of SCTs in the data signal indicate the generation of the data signal. *Id.* at col. 9, lines 27-33. "The number of generations of SCT data which is detected by the SCT detector 425 is compared with a Valid Copy Threshold (VCT) [which] indicates the number of allowed copies." *Id.* at col. 10, lines 62-65 (emphasis added). The data signal can only be copied again if the generation number is less than or equal to the VCT. *Id.* at col. 10, line 66 to col. 11, line 4.

*Warren's* VCT does not constitute or suggest the claimed "copy restriction level," at least because *Warren* does not teach or suggest "receiving, via an operational panel, a copy restriction level from a user," as recited in claim 34 (emphasis added). By contrast: "The VCT . . . can be factory set into the player/recorder 150, or embedded in the SMT data." *Warren*, col. 10, lines 65-66 (emphasis added). However, *Warren's* VCT is not "recevi[ed] . . . from a user," as recited in claim 34.

*Hoogendoorn* and *Kim* fail to cure the deficiencies of *Warren*. *Hoogendoorn* and *Kim* fail to teach or suggest "receiving, via an operational panel, a copy restriction level from a user," as recited in claim 34. Accordingly, *Warren*, *Hoogendoorn*, and *Kim* fail to teach or suggest the subject matter of claim 34.

Independent claims 42, 45, and 46 while of different scope than claim 34, distinguishes over *Warren*, *Hoogendoorn*, and *Kim* for at least the same reasons as claim 34. Claims 30-32, 35, 38-40, and 43 depend from one of claims 34 or 42.

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

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By:   
Fahd Hussein Patel  
Reg. No. 61,780  
(202) 408-6072